

**Big Cypress National Preserve
ORV Advisory Committee (ORVAC) Meeting
May 12, 2008
Everglades City Community Center
Everglades City, Florida
3:30 p.m.**

Meeting Minutes

Attendance. Committee members: Present – Win Everham, Wayne Jenkins, Robin Barnes, Manley Fuller, Franklin Adams, Karl Greer, David Denham, Chuck Hampton, Barbara Jean Powell, Marsha Connell, Curt Wittholf, and Laurie Macdonald. Not present – John Adornato, Gary Lytton, Steve Thompson, and Ed Woods.

Preserve staff present: Karen Gustin, Pedro Ramos, Ed Clark, Ron Clark, Dennis Bartalino, David Adams, Bob DeGross, Frank Partridge, Damon Doumlele, Don Hargrove, Drew Gilmore, David Hamm, Brian Paddock, Delia Clark (contracted facilitator).

Approximately 6 members of the public were in attendance.

The meeting convened at 3:35 PM.

Welcome. Ms. Gustin welcomed everyone and thanked the committee members for being present. She identified members that would not be participating in the meeting and told the committee that BICY staff has tracked suggested recommendations identified in previous meetings. BICY actions were as follows:

- Relocated backcountry access box at Oasis Visitor Center to a more accessible location, recommendation accepted and project completed;
- Relocate the Monroe Station access trail gate approximately 50 yards north of U.S. 41 primarily for safety reasons, recommendation accepted and staff scheduling work to be done;
- Two public interface projects have been completed: 1) processing of public comments as discussed during the last meeting and; 2) setting up an electronic method to receive public comments.

At www.nps.gov/BICY is a link to the ORV page, and on the page are two tabs--one is for general public comments and the other is for agenda items. Both tabs may be used to submit comments or ideas for the agenda.

Ms. Gustin stated that the committee was provided a copy of the current education and training CD followed by an announcement that BICY was in receipt of a grant in the amount of \$140,000.

The T. Mark Schmidt grant will be used to help fund trail-related facilities and access point development. Ms. Gustin explained that this is one of several grant opportunities that the NPS is pursuing and is one of the Preserve's success stories. Frank Partridge was recognized for his work on the grant.

Ms. Gustin introduced BICY staff and announced her recent selection as the new superintendent of Olympic National Park. She thanked members of the committee for their hard work that is done on a volunteer basis and said that there is a lot of expertise on the committee, which has had the opportunity to move the public and Preserve forward. Pedro Ramos was introduced as the Acting Superintendent upon Ms. Gustin's departure.

Laurie Macdonald and John Adornato were introduced as new members of the ORVAC. Laurie was selected to serve on the committee due to her expertise in Florida panther management and biology, and John was selected for his expertise in wetland management and wetland ecology. Both Laurie and John will represent the environmental community.

Mr. Fuller stated that it was a personal privilege and pleasure to work with Ms. Gustin over the past several years and he suspects his colleagues feel the same way. Mr. Fuller continued in saying that Ms. Gustin will be missed for a lot of reasons. A round of applause erupted from the committee and audience.

Ms. Clark began the meeting by reading a letter from John Adornato, who was unable to be present. In his letter Mr. Adornato apologized for not being present and mentioned that he is looking forward to working with the committee. Mr. Adornato's letter described his passion for the environment, and in consideration of his background, he was sure that he could add a unique yet harmonious voice to the discussion of ORV access and resource protection.

Ms. Macdonald referenced the social science study on the benefits of ORV recreation in the Preserve and said that she was moved by the report that describes values that we all share.

Ms. Gustin introduced Mr. George Barton, south Florida representative for Congressman Mario Diaz-Balart. She mentioned that Steve Hart held the position that Mr. Barton currently holds and that he is very active in the south Florida area. She continued in saying that she has really enjoyed working with Mr. Barton.

Ms. Clark discussed the meeting's structure and said that education and the Tread Lightly (TL) message are both related, so they will be placed together.

Public comment periods are as follows:

- 5:20 public comments on education;
- 6:15 public comments on street legals;
- 7:15 public comments on the lottery system; and
- 7:30 general public comments.

Written comments may be received as follows:

1. On line: www.nps.gov/bicy, then go to link for ORV Advisory Committee;
2. By mail: ORV Advisory Committee, Big Cypress National Preserve, 33100 Tamiami Trail E., Ochopee, Florida 34141

Dr. Everham mentioned that he remembered the committee agreeing to allow members of the public who are unable to stay for a particular comment period to have their comments added to a future agenda and heard at another time. Ms. Clark agreed. Approval of the March 18, 2008, ORVAC minutes were moved to a later time to allow all members an opportunity to review suggested changes made by Ms. Powell.

Committee Protocols. This concerns how members should or should not interface with the media. No decisions had been made on how the committee will handle media inquiries. The subject is being engaged to reach a resolution and combined committee consensus on the issue.

Ms. Powell's recommendations on the committee/media interactions were accepted, and a committee member mentioned that he thought that Ms. Powell's recommendations showed a great deal of work and effort.

Decision: The revised statement of policy was accepted by the committee (see Attachment).

Tread Lightly (TL) Presentation. Ms. Clark introduced Dr. Bob Powell and Mr. Ray Davis from Clemson University. Dr. Powell teaches parks and protected areas management and specializes in education and outreach and how it is used to complement protected area management. Mr. Davis has done a considerable amount of work on the eco-trades program, a partner program with the TL message, and he is a coordinator for human-powered recreational activities.

Dr. Powell gave an overview of research he proposes to conduct for Big Cypress National Preserve. He said that the project is funded through the NPS by the wilderness stewardship program. The study will be an evaluation of the education program Big Cypress offers to the Preserve's recreational ORV users.

The intent of Dr. Powell's study is to look at the BICY ORV program holistically as well as its parts and try to make it better. His research will involve analyzing the ORV program to determine how well it is working overall. The end goal is to provide a baseline from which to improve future educational efforts, to determine what parts of the program are successful and what parts are not, and to make necessary adjustments. Dr. Powell explained that through this process he hopes to create a springboard for future collaboration with ORV recreationalists in developing new educational tools.

One of the challenges with managing recreational activities, particularly in a Preserve setting such as Big Cypress, are mandates that are focused on preserving resources, while providing access for recreationalists and for enjoyment. There are two strategies or approaches used for managing visitors and recreationalists: 1) use of regulations and enforcement and 2) use of education as a tool for influencing visitors to protect resources and to get them to work with the Park Service in protecting resources (preferred approach). The underlining assumption with the latter approach is that more knowledge leads to a behavior change.

Dr. Powell said that understanding human behavior is not always linear; it is not based on knowledge alone. Decisions are based on a variety of reasons that are often logical and illogical. This is important because it forms the basis of how research will be conducted.

In reference to education for ORV recreationalists, one of the preferred strategies that the NPS uses is a partnership with the TL organization that has been in existence for approximately ten years. Its mission is to empower generations to enjoy the outdoors responsibly through education and stewardship. At the heart of the organization is an attempt to preserve the quality of the natural resource while ensuring access for future generations, and it is oriented toward motorized recreationalists.

TL is based on best practices and principles. Principles are can be described as follows:

- travel and recreate with minimal impact;
- respect the environment and the rights of others;
- educate yourself and plan and prepare before you go;
- allow for future use of the outdoors by leaving it better than it was found; and
- discover the rewards of responsible recreation

Underlying each of these principles are recommended practices that transcend across all different ecological systems and content.

These broad principles may be applied in Big Cypress or other places. In Big Cypress there is a unique context because it is a wetland environment that requires use of unique craft and vehicles. There is a range of potential environmental impacts and what constitutes an impact and perceived impact. For each recreational group and each user and visitor their perception of ORV impact is different.

TL researchers propose to use three different philosophies:

1. Utilization of code evaluation where they look for the research to show what is relevant and useful to the attentive audience that represents user groups and resource management interest.
2. TL research would like to get a summary view of how well the program is doing overall.
3. They would like to provide information for the continual improvement of the education program that is offered.

Dr. Powell said that with time the use of ATVs will increase in the Preserve, and as the numbers change, perhaps the educational message should change along with the shift in user groups. He said that researchers often use theory to guide their research that creates a road map for understanding complex situations, and that nothing is more complex than human behavior, and there is really no simple way to understand it. TL uses a theory that is widely tested in a range of fields that has held up remarkably well: the theory of planned behavior. He referenced the planned behavior powerpoint presentation and compared it to cost benefit analysis.

Through planned behavior analysis, a range of behaviors can be found. In the context of Big Cypress, Dr. Powell asked how well is the ORV community hearing or practicing the TL principles. He said that the precursor to behavior is the intention to act a certain way, and that intention to act a certain way in this theory is driven by three different and separate things:

1. Cost benefit analysis--will the action benefit you or your loved ones; is there a payoff (does it produce the desired consequences)?
2. Peer pressure--how do people you feel that are important to you and who might judge your behaviors think about what you do? Will they influence your behavior?
3. Perceived behavioral control--are there any impediments to perform a behavior; are there consequences for negative behavior?

This information will be used to help craft surveys to look at how well the TL message is diffused among ORV recreationalists in Big Cypress.

Dr. Powell described a second theory that he called the “diffusion of innovation theory,” which is a term for understanding why particular innovations or products are accepted or not accepted by the public. An example would be a cell phone or a key pad on a computer. These products may not be the most efficient available and there may have been other examples of innovation that were better, but for some reason they stuck. He said that there are certain things or certain precursors to be accepted by a broader public that can help inform, even in delivering an educational message. Implementation of this research and theory will help researchers determine why the tread lightly message is being well received or not being well received by the ORV public. At Big Cypress an impediment to diffusion may not be relevant. The message is broad and sounds great, but if you look at the details, it may not be relevant to the local environment. For example, one of the principles is to avoid wetlands or driving on wetlands. This principle in itself is not relevant to Big Cypress and would tell the public that this study has nothing to do with this context, which would describe an impediment to diffusion.

Currently the TL researchers are reviewing educational materials that Big Cypress uses and have begun working with Big Cypress staff and other stakeholder groups to analyze the goals and objectives of these educational initiatives to produce a good research project and evaluation. This summer the TL researchers will be developing and pilot testing a survey instrument after a collaborative review with Big Cypress staff, members

of the ORVAC, and other sub-groups to provide feedback. Dr. Powell stated that he would like as much buy-on as possible. Ultimately, TL researchers will produce a report that will provide information for continual improvement of the ORV program.

TL research is not only focused on Big Cypress. Two other sites across the country are Imperial Sand Dunes in California and Canyonlands National Park. TL researchers will produce one instrument that will be shared across all three sites, but they will review information independently from these sites. The difficult part of the researcher's job is to capture specificity and breadth that will adequately capture the TL message being applied under a range of different context.

TL researchers intend to sample the ORV permit holders in Big Cypress and are trying to sample parallel ORV recreationalists at the other two sites. The ORVAC was told that landowner ORV permits will probably be combined with recreational permits to get good representation from both types of permit user groups and obtain fair samples.

Mail-back surveys will be used for data collection purposes. An unknown number of individuals will be contacted four times by TL researchers to ensure a reasonable response rate that will begin with an informational letter stating that recipients were selected for the TL study. Following letters would specify details of the study. Dr. Powell said that TL could use the assistance of the ORVAC by explaining their support of the study. He explained that if TL received support of the ORVAC, it would go a long way toward providing legitimacy to the broader public and various ORV groups.

A committee member asked if there was any consideration of TL looking at Cape Hatteras and the management of vehicles there. Dr. Powell said that he called them and they are involved in a lawsuit at this time and were not very interested in participating in the study.

As explained by Dr. Powell, the TL study will;

- Identify what is successful with the ORV program that is being offered now and what is less successful and determine how can it be improved;
- Provide an opportunity for the public to comment not only on the current management plans that BICY is implementing as well as the educational program.

This effort could become a springboard for future collaboration in developing education materials, because there is a great deal of expertise within the ORV community at BICY that could be utilized.

Dr. Powell presented a proposed timeline that identifies TL activities that began with the May 12, 2008, kickoff meeting with the ORVAC. During the summer, researchers will refine their survey instrument, but it must first be approved by the federal government, which may take two to four months. Once the survey instrument is approved, researchers plan to begin collecting data in the fall. TL researchers will use the current list of permit

holders to begin their work. Dr. Powell ended his presentation and offered to address any questions the committee had.

Timeline

- May 12, 2008, project kickoff;
- Summer 2008 project refinement stakeholder collaboration;
- Refine methodology;
- Initiate OMB;
- Fall 2008 data collection via mail-back surveys;
- Produce final report and powerpoint presentation to facilitate dissemination of results.

Decision: Bob DeGross will provide a copy of Dr. Powell's powerpoint presentation to the ORVAC.

Ms. Powell voiced a concern that the product of this effort may be driven by fear. Dr. Powell replied by saying that there are a couple of ways to overcome these concerns by 1) being explicit about what the purpose of the study is; 2) providing a guarantee that all information and the names of individuals contacted are protected and will be completely anonymous; 3) goals will be reported in broad terms and not in individual terms. Ms. Clark suggested that the ORVAC select a subcommittee to work with the TL researchers, and the committee agreed with her suggestion.

Decision: An ORVAC subcommittee will be developed to work with the TL researchers.

Dr. Everham said that the committee would be interested in seeing demographic categories included in the survey instrument to determine precisely who the user groups are. The committee may be interested in knowing how long the user has lived in Florida, what type of ORV they use, and how long have they recreated in Big Cypress. Dr. Everham continued in saying that if there will be a survey instrument, can it be site-specific? Dr. Powell explained that the survey will include a number of questions and that there will probably be four or five questions to gather broad themes.

Mr. Adams referenced a past survey that did not recognize hunting and fishing in the Preserve and wished to make sure that the problem was not repeated.

In closing, Dr. Powell explained to the committee that it would be extremely helpful if the first introductory letter included endorsement signatures from the ORVAC regarding the study, which would eliminate a certain level of distrust.

Ms. Clark asked committee members if there are any members interested in serving on the subcommittee, and Ms. Powell volunteered to serve on any and all subcommittees. Ms. Clark said that the concept of having an educational subcommittee with TL as one of the components would probably be the least unwieldy. She asked the committee if they felt if TL would work with the hunter education subcommittee. Dr. Everham asked the

committee if they wanted a separate subcommittee to work with the TL initiative or do they want to make it a part of a single subcommittee that deals with educational outreach. He felt that the latter would probably be more efficient.

Education. Ms. Clark introduced Bob DeGross, who provided an overview of all education activities occurring at the Preserve. Ms. Clark asked the following questions: 1) what role can or should the ORVAC play related to educational programming for the highest priority areas for immediate consideration; 2) how can the committee work most effectively to assist the Preserve in addressing these areas; and 3) explore the possibility of creating a subcommittee that might start its work by taking on Tread Lightly.

Mr. DeGross explained to the committee that he provided each of them a copy of the powerpoint presentation that ORV recreationalists must review prior to obtaining their operators license. He mentioned that Preserve staff try to incorporate the TL message in educational materials that are provided to the public. Mr. DeGross requested assistance from the ORVAC in reviewing a more interactive, multimedia type of operator orientation to take the place of the powerpoint presentation that was issued to the committee. He said that he was extremely interested in working with the committee or subcommittee on current projects that he is working on, and the purpose would be to make sure that BICY captures intended information for the public.

A committee member asked Mr. DeGross if he had a sense of the number of permits that were issued in the past versus new permit purchases. Mr. DeGross said that the NPS does not have the exact numbers, and BICY would have to analyze available data.

Action Item: Look at data and obtain information on past ORV permits versus new permits.

Dr. Everham asked if there were other ways to reach out to the ORV community, such as professional organizations and regular meetings, in ways that may be more effective at teaching. The annual ORV newsletter was identified as a means of achieving this purpose.

Ms. Powell agreed with the discussion and recalled that the subcommittee may include members that are not serving on the committee. She asked what data is available to the ORVAC, e.g., ORV permit dynamics, how many and what kind of permits are currently issued. She said that it was important to determine what the problems or perceived problems are in order to know what educational priorities the ORVAC needs to work on. Mr. DeGross said that BICY must determine what information is needed from the database to support these initiatives and to make sure that products accomplish their intended purpose.

Ms. Powell felt that it was important when creating an educational program do it in a manner that respects the user and makes them want to participate.

Ms. Macdonald suggested that educational materials could possibly be distributed by ORV repair shops or establishments that sell equipment. Mr. DeGross agreed and said that the Preserve has been working on making contact with various companies and that BICY will continue to improve in this area. He said that the Preserve is in contact with the state OHV (Off Highway Vehicle) committee that helps coordinate all the different OHV communities in the state, and the State Division of Forestry is involved with this effort. BICY is working with available vendors to send information to them for distribution to the public. Ms. Macdonald recommended when going out to the public to always make the effort as convenient as possible.

Mr. DeGross stated that the Preserve is working on offering an ATV safety course for the public through certified Preserve staff.

Dr. Everham asked if the ORVAC should be educating non-ORV users about the use of ORVs in the Preserve to help defray some of the polarization that exists. He mentioned that there is a warped perception about who ORV recreationalists are and what that user community wants to do in the Preserve. He mentioned that there are lots of opportunities for education and wonders if this issue should be used as a case study in public schools where complicated multi-sides to these issues are used to get our next generation of electorate to begin thinking critically and carefully about how we balance multiple uses. More can be done in terms of education than just targeting the ORV community.

Ms. Clark moved the discussion toward forming three subcommittees.

Education Subcommittee. Members: Curt Witthoff, Win Everham, Barbara Jean Powell. Charge:

- a. Help TL researchers formulate tool;
- b. Provide input on access point bulletin boards;
- c. Redo ORV operations orientation;
- d. Respond to needs expressed by BICY staff;
- e. Review program currently for audience, message, format, evaluation, distribution, data collection;
- f. Consider coordination with State agencies;
- g. Help formulate broad goals and objectives for BICY education.

A committee member asked if the ORV powerpoint training will be provided in Spanish, and Mr. DeGross said that it is not currently but BICY will make necessary changes soon.

At approximately 4:45 PM the floor was opened for public comment.

Public Comment. Ms. Jolyn Mayberry (Collier County Parks and Recreation employee), a landowner in Big Cypress for over 30 years, said that she will operate the ATV park in Collier County. She has attended Division of Forestry meetings for over a year, and much of the information that the committee discussed can be found via

research. She said that the ATV Safety Institute has provided training since 1989 and that she has been an instructor since that time. She mentioned that people who ride on public land are required to take the class and that TL is a part of that training. ATV user groups are educated to protect their right to ride without extensively damaging the resources. She believes that a training site should be provided to teach riders to ride safely. She noted that children under the age of 16 are not allowed to ride in Big Cypress, but there are ATVs designed for children 6 years of age and up. Beginning in July of 2008, ATV training will become mandatory to ride on public lands. Ms. Mayberry believes that there is a need to provide a place for children to ride ATVs, because it is desirous to have children involved in recreational activities rather than doing something wrong. She said that the proposed lottery system should be designed to give landowners first opportunity and she volunteered to participate in the TL surveys. She said there are numerous sites that are being considered for ATV recreation and one of the more promising sites is 2500 acres located at the Miami-Dade Jetport. Ms. Mayberry mentioned that the 640 acres located at Lake Trafford will not be large enough to accommodate demand.

Street Legals. Street legal vehicles are currently authorized on all designated trails in the entire Bear Island unit. They are not permitted outside of this area. Street legals must be permitted and they count toward the 2000-permit annual limit. The limit applies to street legals, airboats, ATVs, and swamp buggies.

The panel asked if there was any place in the Preserve where a vehicle is taken where there is no sign that informs them that they need a permit. Mr. DeGross responded by saying access gates are erected and signs are posted that inform visitors they must have an ORV permit to go beyond that point.

Mr. Denham said there is a possible flaw in current regulations for use of street legals and that a street legal vehicle could be decommissioned and, if properly equipped, can be licensed and used throughout the Preserve. He believes the current situation is a double standard in theory.

Ms. Gustin informed the committee that when they are formulating recommendations they should have supporting documentation so that if something changes under the adaptive management principle, it would have a reason attached. She recommended that the panel review materials provided during the first meeting and look carefully at the definition of adaptive management, which generally says if new information becomes available we may be able to make some adjustments.

An ORVAC member asked if the proportion of ORVs changed over the past five years. Chief Ranger Ed Clark responded by saying that he has those figures and that the biggest change that BICY has seen lately is the registration of ATVs and swamp buggies. Mr. Clark believes that the slight increase seen in swamp buggy registration may be due to the modification of regulations that now allow UTVs to be classified as swamp buggies.

Why were street legals omitted from the Preserve? NPS: Street legals in the rest of the Preserve were identified in the 2000 ORV Management Plan.

ORVAC: Have we seen an increase in riders in BICY due to the closure of outside areas? NPS: Yes, some of the riders have contacted the Preserve to explain that they will not return due to the ORV operational restrictions imposed on them. We anticipate that rider numbers will exceed two thousand this year.

Ms. Powell said that the Coordinating Counsel considers the new type of uses and emerging activities as opposed to the traditional ORV uses, which were access for wildlife viewing, camping, and hunting. Now the emerging uses seem to be more of the active type of ATV that may not be appropriate.

The problem with street legals is weight. Traditional users of ORVs used swamp buggies, but now traditional users feel that they are being blamed for damages as a result of ATV operation in BICY.

Ms. Powell said that there are some street legals that are lighter in weight, and she believes that the street legal issue should be evaluated closely with the lottery issue, along with a look at the dynamics of the emerging uses. Ms. Powell asked the panel if they think a subcommittee should be created to address the issue. Ms. Clark recommended that the ORVAC may be stretching themselves thin, and BICY management prefers that the committee focus on the three big issues (education, lottery, and Turner River trails) before creating more subcommittees for now. BICY management believes that many of these types of issues will be discussed in existing subcommittees.

Mr. Adams said that GM does not build buggies and he built his buggy in 1955. Owners put lots of time and money into their buggies and the equipment is part of the Gladesman culture.

A committee member mentioned that the conditions limit the type of vehicle that could be used in the Preserve and the lottery system is of great concern to the traditional ORV recreationalists, due to the time and expense that is placed in each buggy. Traditional users will be upset if they are denied access to the Preserve from overflow of ATVs.

Mr. DeGross stated that in consideration of discussions with Ms. Gustin and Mr. Ramos on the topic, the committee may want to research ORV use in other parts of the country and consider recommending identification of trails that are suitable for different types of ORV use. Some trails may be suitable for swamp buggy use only while others may be open to multiple ORV use.

Ms. Powell recommended that any consideration of street legals should include criteria for that vehicle. For the record, buggies and airboats are part of the Gladesman culture. Children learn buggy ethics and operation as toddlers. Traditional ORV recreationalists are trying to preserve the culture that cannot be done without buggies.

Mr. Jenkins asked if buggy numbers can be increased to 2,500 since there is a cap of 2,000 for the original Preserve and the Addition Lands will have a separate limit. Ms.

Gustin responded by saying the 2,500 permit cap was mentioned in the 1991 General Management Plan for the original Preserve. When the ORV Management Plan was written, the biological opinion that the USFWS rendered on the plan indicated 2,000 permits. When the ORV Management Plan was completed, that cap remained at 2,000. Currently the cap remains at 2,000. We are not completely done with the Addition Lands GMP, and there will be a separate cap on permits in the Addition Lands for ORV management. Specific details on how this will work were not discussed, but Ms. Gustin said that the NPS is headed toward a separate permit limit cap that will be placed on the Addition Lands. Ms. Gustin said that the Addition Lands will not be involved with this planning effort. The Addition Lands GMP will go out for public comment this fall.

Ms. Powell asked if the ORVAC will receive a copy of the powerpoint presentation from Mr. Clark and he said yes. She then asked if we have any idea of how many vehicles that have been in use in the Preserve during a peak use period. She doubted that there would be 2,000 vehicles in use at one time. Mr. Clark agreed and said that NPS does not have a handle on that and they were relying on data provided by the backcountry access permits.

Action: Provide ORVAC with a copy of Mr. Clark's powerpoint presentation.

Mr. Denham mentioned that he believes the number of permits in consideration for the Addition Lands is approximately 800.

Mr. Adams identified the lack of data as a problem and that he often finds no backcountry access permits available at the access points. Some ORV recreationalists take several permits at a time so they will have an access permit during subsequent visits.

Dr. Everham stated that if the problem is the number of permits and the way they are allocated, especially concerning the cultural legacy and the amount of commitment someone could have, then that is where the ORVAC should start. If there is a problem with street legal 4 X 4 vehicles, then the ORVAC should fix the problem independently of the number of permits that are made available. He mentioned that some of the street legal operators could be developing their own culture that could be positive, and he preferred not to distort these two views. If street legals are being used incorrectly, the committee should be designing specifications that make sure they are not damaging the resources. The problem appears to center on who gets permits and who does not. If we are engaging street legals because it is sort of an indirect way of engaging the problem of not enough permits, then the committee should deal with that issue. However, other committee members may believe that there might be better vehicle specifications that should be developed that could preclude the use of street legals on some trails but would better protect the resources. If the committee decides to pursue that, it would be based on research results.

Decision: Street legals will be reviewed in a future agenda as a separate issue.

Public Comment. Mr. Charles Barley said that the term street legal is too broad because street legals can be purchased today that are as capable as most other vehicles. He asked the committee to be careful when using the term street legal.

Turner River Unit Trail System. Mr. Damon Doumlele identified a map of the Turner River Unit designated trail system that was distributed to the committee as the topic of his discussion. He said one of the main features of the Off-Road Vehicle Management Plan (ORVMP) is the establishment of a designated trail system in the Preserve. The ORV trail system will be fully implemented by 2010. The NPS will implement the Plan by management unit to meet the objectives of the ORVMP. The Plan authorizes up to 400 miles of primary designated trails and an unspecified amount of secondary trails. Primary trails tend to go long distances where secondary trails are intended to go to specific destinations such as a camp or scenic overlook. Secondary trails are short and branch off of primary trails and they will not be stabilized. The ORVMP also authorizes mileage limits for each of the management units in addition to the 400 mile overall limit. The plan authorizes up to 140 miles of primary trail in the Turner River Unit.

Currently there are approximately 114 miles of primary trails available for public use in the Turner River Unit.

In September of last year BICY solicited input from the public on where the public would like to see trails established to reach locations of interest to them. The Turner River Unit is one of only two management units that still allow dispersed use of ORVs. By 2010 NPS will implement designated primary and secondary trails in the Preserve and at that time dispersed use in all management units will end. An additional 26 miles of primary trails could be designated for the unit, as well as secondary trails. Mr. Doumlele referenced the subject map and identified areas in the Preserve that will remain closed. Mullet Slough and the Addition will remain closed to ORV use. Mr. Doumlele pointed out that some of the requested trails to specific destinations were not plotted on his map because they closely matched nearby trail routes.

Mr. Doumlele explained to the committee that their task will be to determine if we needed additional trail destinations in the Preserve and if so, where should they be located? We are faced with deciding if we do need some type of primary and secondary trails and making some type of judgment call in determining which trails are important and which are less important. This task will require input from many people and this effort may be best assigned to a subcommittee with input from the user community. The NPS will make the final decision on which trails will move forward.

Ms. Macdonald asked if the subcommittee receive additional information beyond the prairie and marsh and other natural resources. Mr. Doumlele said that someone from the Preserve would have to be on the subcommittee or work closely with the subcommittee who will provide needed information.

Mr. Fuller suggested splitting trails into primary trails and candidate secondary trails. He mentioned that if the subcommittee had maps that showed trails and secondary trails, it would simplify the task. In his opinion the provided map was confusing.

Mr. Hampton asked if the provided map will be issued as a guide or will it include more detail? He said that there were no reference points on the map and said that shown reference points depicted by NPS are different from local knowledge and experience in the area. Mr. Doumlele said that we must be careful about names because people may disagree with the names of landmarks identified on maps. Mr. Doumlele continued in saying that the NPS would be open to input from the subcommittee on this matter.

The committee identified the inability of not being able to visit their neighbors from their camps as a major concern that should be addressed by the subcommittee.

Mr. Hampton asked when does hardening of trails begin and end. Mr. Doumlele said the practice of hardening or stabilizing the entire trail is no longer used and that trails are stabilized where needed per input from the ORV community.

Ms. Powell stated that back in 2000 or 1999 whenever BICY requested information on maps, she voluntarily took maps around for people to identify destinations and submitted a map with names local people gave them. She said that it was her understanding that the maps would be merged with the data that was collected during a recent public meeting. She asked Mr. Doumlele if the subcommittee will have access to those maps. Mr. Doumlele said yes, the committee will have access to the referenced maps and that he used available information that he had to create the map.

Ms. Gustin reiterated that the provided map is not finished and is not at the point for public distribution and that much more work is needed. The effort was used as a reference and starting point.

Ms. Clark summarized discussions and said that it is important for the subcommittee to accurately identify landmarks on maps for use as navigation aids in the backcountry.

Ms. Powell clarified for new committee members that the Turner River Unit is open for dispersed use but there are vast areas closed to access such as prairies.

Ms. Clark opened the floor to establish the Turner River subcommittee.

A panel member motioned that a Turner River subcommittee be established and the motion was seconded.

Turner River Subcommittee. Members: Franklin Adams, Barbara Jean Powell, Karl Greer, Charles Hampton, Wayne Jenkins, and Laurie Macdonald.

Dr. Everham recommended that the subcommittee have information that the Preserve has in terms of unique habitat, nesting sites, and places where trails may be problematic in terms of conflict with wildlife.

Lottery System. Ms. Clark began discussion on the ORV permit lottery system and introduced Chief Ranger Ed Clark, who described the current situation and what actions are required by the management plan. His discussion provided an overview of the legal framework that the committee is operating in. Ms. Clark said that she would like the panel to discuss a range of possibilities whether it is a quota system or unit system and decide how the committee will take on the issue of a lottery system.

Ms. Powell requested the establishment of a standard request for the ORVAC to receive a copy of any powerpoint presentations.

BICY Action: All powerpoint presentations that are provided during ORVAC meetings will be posted on PEPC.

Mr. Clark began his presentation by saying that the ORVMP described issuance of 2,000 permits and that the permit cap may cause problems. He stated that many first-time users from other areas are now purchasing permits, and if the limit is reached, it could cause problems for local traditional users. He believes that it is a major problem if new users recreate in the Preserve short term and decide the experience is not what they were looking for. In this scenario there is no mechanism currently in place to recover a permit that is not used. In addition, this practice could place traditional users in a bad situation. Another problem is many of the traditional users are also landowners or lessees who are entitled to a special use permit that provides access to and from their property. But if they want to recreate outside of their established route, they will need a recreational permit. It is possible that a landowner could have a special use permit but not be unable to get a recreational permit when they intended to get one.

Available data show a recent increase in ORV permit purchases that BICY staff believes is related to the closure of outside areas to ORV recreation. Area closures, particularly in Picayune and the Holey Land WMA, have contributed to the upward trend of ORV use in the Preserve. From an examination of ORV permit purchase data from January –April of 2008, the number of issued permits has reached 1,327. During the same period in 2007 the number of ORV permit purchases reached 1,325 with a year-end total of 1,911. BICY expects to see similar numbers this year that may come very close or actually hit the 2,000 permit limit. The NPS is attempting to be proactive at this point by developing a lottery system and is seeking ORVAC assistance in the development of a lottery system.

The committee made several suggestions on the problem of visiting ORV recreationalists that do not return to the Preserve:

- First-time permittee should be issued a three-month trial permit;
- First-time users should at a minimum be able to participate in a lottery system;

- Could landowners have full use of the Preserve as if they have purchased a permit and take landowners out of the 2,000 total permits issued?

Mr. Adams commented that he would like to know how many buggies are actually in the woods at a given time. He said that of the 2,000 permits that may be issued, there are never that many buggies in the woods at one time.

Mr. Fuller recommended that data be used to determine a six-year average of types of vehicles that are used in the Preserve and then lock those averages in by vehicle type. He did not think anyone would be disadvantaged by applying this technique and favored recalculating averages on a five-year cycle.

Lottery Subcommittee. Members: Franklin Adams, David Denham, Barbara Jean Powell, Robin Barnes, Wayne Jenkins, Charles Hampton.

Lottery Subcommittee questions and suggestions:

- Address more efficient use of 2,000 ORV capacity;
- Suggest flexibility in determining 2,000 ORV capacity;
- Identify, review, and evaluate relevant data;
- Does permit need to be an annual permit?
- What type of impact do different vehicles have?
- Can there be a day-use permit?
- Is the 2,000 ORV permit number based on a full calendar year?

Mr. Ron Clark, Chief of Resource Management, said the 2,000 ORV capacity was set in the 1991 General Management Plan. BICY could provide the subcommittee an executive summary of the biological opinion on the total ORV capacity issue. The cap was set in 1991 by a cumulative impact analysis that was based on 2,000 vehicles. The 1991 General Management Plan identified a predicted ceiling of the largest number of permits that have ever been sold until the signing of the Record of Decision. When the Record of Decision was signed for the GMP, the number 2,500 appeared. Whether the number 2,500 was a typing error or some type of concession to public input, he does not know. The Record of Decision had a different number than the Environmental Impact Statement that it was attached to. The biological opinion looked at 2,000 ORV permits. In the year 2000 when the ORVMP Record of Decision was signed, it went back to the original number that the analysis was drawn from.

With regard to how the number 2,000 was derived, it was pulled out of the air based on the history of an average or close to the average number of permits sold since the creation of Big Cypress.

Ms. Clark asked the panel for suggestions in establishing the charge for the Lottery subcommittee, and the committee responded as follows:

- Address imminent problem of hitting the cap;

- Address more efficient use of 2,000;
- Explore areas for flexibility in interpretations of 2,000;
- Explore equity: impacts of different kinds of vehicles;
- ID, review, evaluate relevant data, biological opinion;
- Explore possibility of variations (e.g., day-use permits, grandfathering, and incentive for return of unused permits).

Ms. Powell asked the committee if it was appropriate to have a component in the charge that is sensitive to, or with the goal of, preserving the traditional cultural Gladesman use of the Preserve. She expressed her concern of preserving those benefits that were outlined in the ORV benefits report multi-generational cultural aspect that is very unique to the preserve. Ms. Clark responded by asking if the committee as a whole wanted to set some political direction for this subcommittee or not. In response, the committee felt that they liked the idea of grandfathering because it is very subjective, but it would be difficult to determine who qualifies as a traditional user. It is possible for someone outside of the area to bring in a buggy and proclaim that they are a Gladesman. In this instance, who would determine who the traditional recreationalists are?

Public Comment. Ms. Clark opened the meeting for public comments, but there were no responders.

Ms. Clark asked the committee to discuss subcommittees in general and made a recommendation that the ORVAC subcommittees decide how they would like to conduct their first meetings and recommended that they set up parameters for themselves. She said the subcommittees may want to be clear about what they are doing, come back to the ORVAC with a charge, and discuss other non-ORVAC subcommittee members that they would like to pull in. Ms. Clark opened the floor for ORVAC members to volunteer to serve on subcommittees and asked the committee if they would like to work together as subcommittees and determine if the committee would like each subcommittee to have a small agenda to report back to the ORVAC on their progress.

Decision: On every agenda and at each meeting, each subcommittee will report to the ORVAC on their progress and maybe answer questions from the full committee.

A discussion on framework that would help the sub-committees do their work and Mr. Greer mentioned that the maps provided by Mr. Doumlele will probably be the center of the subcommittee's attention that will be addressed at a future meeting. Adaptive management has to address landowner requests for trails to be moved to access another part of the preserve. Ms. Gustin said that the NPS is obligated to provide access to landowner property on an individual basis, and there may be instances where a recreational trail would be used to serve the purpose of reaching a camp, as well as instances where a single trail will provide access to and from a camp.

Decision: BICY staff will provide technical assistance, help with hardware, meeting space, and conference calling facilities for ORVAC subcommittees.

Ms. Gustin asked the committee to please provide information for compensation purposes. She requested that the committee provide accurate and timely responses to information requests.

Decision: During future meetings turning in travel vouchers will be part of the agenda.

Discussion of Meeting Minutes from March 18, 2008, Meeting.

- There is no difference in tread width requirements between street legals and buggies;
- Ms. Powell will provide hard copy edits/corrections to March meeting minutes that she presented to the committee;
- No provisions for Alternative page 6
- Blue changes made to the minutes are approved;
- Discussion summary item number 3 was deleted;
- Alternate members definition needed, ORVAC may change title from Alternate to representative;
- Alternates must be appointed;

The minutes were approved as corrected.

Ms. Clark discussed appointing a convener for each committee whose responsibility is to communicate meeting dates and other important matters to the subcommittee. The convener's job will probably require sending out periodic reminders to subcommittee members.

Subcommittee Conveners.

- Education Subcommittee convener is Dr. Everham;
- Turner River Trail Subcommittee convener is Ms. Powell;
- Lottery System Subcommittee convener is Mr. Jenkins.

July Meeting Agenda.

Reports from Education Subcommittee, Turner River Trail Subcommittee, and Lottery System Subcommittee.

ORVAC recommended determining how to collaborate with other local groups that are doing ORV work.

The meeting adjourned 8:02 PM.

Attachment

BIG CYPRESS NATIONAL PRESERVE OFF-ROAD VEHICLE ADVISORY COMMITTEE MEDIA RELATIONS POLICY

1. No committee member shall make statements to the media on behalf of the Committee unless the person is specifically authorized by the Committee to be an official spokesperson, nor unless the general content of the statement is approved in advance by the Committee and the NPS.
2. Committee members are not prohibited from exercising their right to communicate with the media as individuals, but will not attempt to characterize the motives, views, comments, or opinions of other members or of the Committee as a whole.
3. As the media cannot always be relied upon to accurately reflect the content, tone, and context of an interviewee's remarks, committee members are strongly urged to use caution and restraint when choosing to exercise their right to communicate with the media as individuals.
4. Committee members will not use the media as a tool to influence committee deliberations.